

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HOWARD SOLOMON,

Defendant.

Adv. Pro. No. 10-04307 (SMB)

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING**

Irving H. Picard (“Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, and defendant Howard Solomon (“Defendant,” and together with the Trustee, “Parties”), by and through his counsel, Lax & Neville LLP, hereby stipulate and agree to the following:

1. On November 26, 2010, the Trustee filed a complaint (“Complaint”) against Defendant in the above-captioned adversary proceeding to avoid and recover transfers received by Defendant in connection with his investment advisory account held at BLMIS (No. 1S0182).

2. On November 19, 2015, Defendant answered the Trustee's Complaint. ECF No. 60.

3. On August 25, 2016, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010. *See* Adv. Pro. No. 08-01789 (SMB), ECF No. 3181.

4. In accordance with Rule 7041 of the Federal Rules of Bankruptcy Procedure (making Federal Rule of Civil Procedure 41(a)(1)(A)(ii) applicable in adversary proceedings), the Parties hereby stipulate to a dismissal of the above-captioned adversary proceeding.

5. The provisions of this stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

[Remainder of page intentionally left blank.]

6. This stipulation may be signed by the Parties electronically or in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument.

Dated: October 20, 2016
New York, New York

BAKER & HOSTETLER LLP

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Securities LLC and the consolidated estate of
Bernard L. Madoff*

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Attorneys for Defendant Howard Solomon

SO ORDERED

Dated: October 21st, 2016
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE